

COUNCIL COMING ATTRACTIONS



October 25, 2016

Fossil Fuel Divestment, Grants Process, Subdivision Staging Policy & Development Impact Tax



Council Coming Attractions is a summary of some of the issues before the Council. All Council staff reports and additional information on each item scheduled for Council or Committee review can be viewed at: <http://www.montgomerycountymd.gov/council/packet/index.html>.

Also the Council meeting schedule may change from time to time. The current Council agenda can always be viewed at:

http://www.montgomerycountymd.gov/council/resources/files/agenda/col/current_agenda.pdf.

The Oct. 25 Council meeting will begin at 9:30 a.m. with a proclamation presented by Councilmember Nancy Navarro recognizing Sara Lechliden as first runner up in the 2016 Miss Maryland Agriculture Program.

Other Council highlights are listed below.



WSSC Spending Control Limits

The goal of the spending control limits process is to reconcile both Montgomery and Prince George's County Councils' actions by Nov. 1 of each year so that WSSC can build the approved limits into its Operating Budget Public Hearing Draft, which is released for comment by Jan. 15 of each year. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=136&event_id=4995&meta_id=127191.

The T&E Committee recommends approval of the following:

- Assume a 3.5 percent rate increase in FY18.
- Assume the same level of new debt and debt service as in the revised base case.
- The net effect is a 1.9 percent increase in operating expenses from FY17.

- ✓ New Debt: \$570.022 million
- ✓ Debt Service: \$260.457 million
- ✓ Total W/S Operating Expenses: \$730.522 million
- The T&E Committee also supports keeping the language in the spending control limits resolution noting the County's support for WSSC's large diameter pre-stressed concrete cylinder pipe (PCCP) inspection, repair and fiber optic cabling program, its water and sewer main reconstruction programs and its large valve replacement program.



Resolution to Approve Council Grants Process

The Council will introduce a resolution that will establish guidelines for the FY18 Council Grants process. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=136&event_id=4995&meta_id=127195 .

Each year, the Council adopts a resolution outlining the Council Grants process for the coming fiscal year. On October 13 the HHS and GO committees held a joint worksession to review the growth in grant applications and grant funding, to make recommendations for any changes for the FY18 Council Grants process and to consider long-term changes to the Council and Executive Community Grants programs. The joint Committee did not complete its discussion of or make recommendations for any long-term changes.



Amendments to Ten-Year Comprehensive Water Supply and Sewerage System Plan: Water and Sewer Category Changes

The T&E Committee recommends approval of the Executive's recommendations on each water and sewer category change listed below. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=136&event_id=4995&meta_id=127197 .

In July the Council received the following five Water and Sewer Category Change requests from the County Executive:

- St. John Neumann Catholic Parish—PIF request for support buildings and two properties (T&E Committee and Executive recommends approval of sewer request S1);
- Ahmed Akbari—public water and sewer to build a single-family home (T&E Committee and Executive recommends conditional approval of water request W-1, maintain S-6 with future sewer approval S-3 conditioned on successful septic testing and the feasibility of providing sewer service without a main extension);
- Roxanne and Ted Smart, Glen Hills—public sewer to build single-family home (T&E committee and Executive recommends denial of sewer request, maintain S-6);
- Fiona Lau, Glen Hills—public sewer to build a single-family home (T&E Committee and Executive recommends denial of sewer request, maintain S-6); and
- Daniel and Leslie Geringer, Glen Hills—public sewer to serve existing home (T&E Committee and Executive recommends approval of sewer request S-1 with single-hookup per abutting mains policy).



Bill 44-16, Retirement-Fossil Fuel Investments-Restrictions

The Council will introduce Bill 44-16. The lead sponsors are Council Vice President Berliner and Councilmember Navarro. Councilmember Elrich is a cosponsor. The staff report can be viewed at:

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=136&event_id=4995&meta_id=127199 .

Bill 44-16 would require the County's Board of Investment Trustees to divest from the 200 publicly traded fossil fuel companies that hold reported reserves with the largest potential carbon emissions and to study adopting a Socially Responsible Investing policy.

- Bill 44-16 would require the Board of Investment Trustees, which oversees the investment of retirement funds for County employees, to divest from these companies over a five-year period and prohibit further investments in them.
- The five-year divestment time frame could be delayed if the Board of Investment Trustees certifies that divesting these funds would reduce returns in the investment portfolio.

- The Board of Investment Trustees has approximately \$65 million worth of holdings in the Carbon Underground 200, which is a list of fossil fuel companies ranked by their potential carbon emissions.



Resolution to Adopt the 2016-2020 Subdivision Staging Policy

The Council will hold morning and afternoon worksessions on the Resolution to adopt the 2016-2020 Subdivision Staging Policy. The staff report will be available on Oct. 24. The latest version of the County's Subdivision Staging Policy, formerly called "Growth Policy," is being updated. The goal of the SSP is to ensure that there is adequate public facilities infrastructure, schools and roads associated with new development and growth. This SSP update is an opportunity to revise the rules for how the County grows over the next four years.



Bill 37-16, Taxation-Development Impact Tax-Transportation and Public School Improvements-Amendments

The Council will hold morning and afternoon worksessions on Bill 37-16. Council President Floreen is the lead sponsor, at the request of the Planning Board. The staff report will be available on Oct. 24. The County Code requires the Planning Board to submit a recommended Subdivision Staging Policy (SSP) to the Council that must include guidelines for the administration of laws and regulations that affect the adequacy and timing of public facilities needed to support growth and development.

- The Planning Board submitted a recommended 2016 SSP on July 27, 2016. The Planning Board recommended changes to the County law concerning the development impact tax for transportation and public school projects. Bill 37-16 would implement the Planning Board's recommended amendments to the impact tax laws.
- Bill 37-16 would:
 - ✓ modify the method of calculating the transportation and public school impact tax;
 - ✓ create new transportation tax districts associated with policy area categories;
 - ✓ adjust the transportation impact tax for residential uses based on non-auto driver mode share (NADMS) associated with each tax district;
 - ✓ adjust the transportation impact tax for non-residential uses based on vehicle miles of travel (VMT) associated with each tax district;
 - ✓ authorize an adjustment to the transportation impact tax for providing parking below the minimum required under Chapter 59; and
 - ✓ modify the public school impact tax payable for property located in a former enterprise zone.



Resolution to Establish Development Impact Tax Rates for Transportation and Public School Improvements

The Council will hold morning and afternoon worksessions on the resolution to establish development impact tax rates for transportation and public school improvements. The resolution contains the impact tax rates proposed by the Planning Board that were in Bill 37-16 as introduced. All testimony that was submitted concerning the proposed impact tax rates for the September 13 public hearing on Bill 37-16 will be considered by the Council when deliberating on the impact tax rates in this resolution. The staff report will be available on Oct. 24.

- The Council may increase or decrease the rates proposed in the resolution.
- Bill 37-16 includes revised impact tax rate tables proposed by the Planning Board as part of the Subdivision Staging Plan. At the September 22 worksession on Bill 37-16, the GO Committee recommended removing the impact tax tables from the Bill and approving the impact tax rates by resolution.
- Currently the impact tax tables are adopted in the law and then are revised by resolution every two years. After the first revision of the tax rates by resolution, the tax tables contained in the law are no longer accurate.